

SENATE BILL No. 365

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-23-4.5.

Synopsis: Designation of old forest areas in state forests. Requires the department of natural resources, before January 1, 2017, to designate as an old forest area at least one undivided area comprising at least ten percent (10%) of each state forest. Provides that, wherever possible, the size of a designated old forest area must be at least 500 acres. Sets forth certain purposes that are to guide the department in designating the old forest areas. Prohibits the department from conducting or allowing timber management in the old forest areas. Requires the department to produce and keep on file maps and legal descriptions of the designated old forest areas. Provides that the designation of the old forest areas does not affect hunting, fishing, trapping, and other recreational uses of the state forests, the maintenance of access roads in the state forests, or rights of access through the state forests.

Effective: July 1, 2016.

Bassler

January 11, 2016, read first time and referred to Committee on Natural Resources.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 365

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-23-4.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]:

4 **Chapter 4.5. Old Forest Areas**

5 **Sec. 1. As used in this chapter, "timber management" includes**
6 **any of the following:**

- 7 (1) **Harvesting timber.**
8 (2) **Planting trees.**
9 (3) **Fertilization.**
10 (4) **Thinning of trees.**
11 (5) **Weeding.**

12 **Sec. 2. (a) Before January 1, 2017, in each state forest, the**
13 **department shall designate as an old forest area at least one (1)**
14 **undivided area comprising at least ten percent (10%) of the state**
15 **forest.**

16 **(b) Wherever possible, the size of an old forest area designated**
17 **under this section must be at least five hundred (500) acres.**



1 **Sec. 3. In designating old forest areas under this chapter, the**
 2 **department shall be guided by the following purposes:**

- 3 (1) Ensuring that state forests retain trees of age classes that
 4 cover the entire natural lifespans of Indiana's native trees.
 5 (2) Providing habitat for forest dependent wildlife species.
 6 (3) Protecting ecologically sensitive, geologically sensitive, or
 7 unique areas.
 8 (4) Protecting water resources.
 9 (5) Providing public recreational opportunities.
 10 (6) Maintaining and enhancing aesthetic value.
 11 (7) Providing control areas for purposes of:
 12 (A) assessing how forests are responding naturally to
 13 stresses; and
 14 (B) comparing managed forest stands and unmanaged
 15 forest stands over time as to productivity, regeneration,
 16 and species richness as a guide to logging in a sustainable
 17 manner.

18 **Sec. 4. Beginning January 1, 2017, the department shall produce**
 19 **and keep on file maps and legal descriptions of the old forest areas**
 20 **designated in state forests under this chapter.**

21 **Sec. 5. The department shall not:**

- 22 (1) conduct; or
 23 (2) allow;

24 **timber management in the old forest areas designated in state**
 25 **forests under this chapter.**

26 **Sec. 6. The designation of old forest areas in state forests under**
 27 **this chapter does not affect the following:**

- 28 (1) Hunting, fishing, trapping, and the gathering of edible and
 29 medicinal plants and mushrooms in the state forests, as
 30 permitted by law and administrative rules.
 31 (2) Recreational uses of the state forests, such as hiking,
 32 camping, horseback riding, and mountain biking, as
 33 permitted by law and administrative rules and allowed by
 34 state forest management programs.
 35 (3) The maintenance of access roads, lanes, and trails in the
 36 state forests.
 37 (4) Rights of access in existence on January 1, 2017, through
 38 the state forests to private property and cemeteries.
 39 (5) Methods of monitoring and controlling nonnative invasive
 40 species in the state forests other than through the harvesting
 41 of timber.
 42 (6) Providing emergency medical assistance in the state



- 1 forests.
- 2 (7) Conducting search and rescue operations in the state
- 3 forests.
- 4 (8) Extinguishing or controlling fires in the state forests.

